

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated August 13, 2009. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-9 and 16-26 are pending in the Application.

The Applicants appreciate the indication in the Office Action that claims 21-26 are allowable if amended to be in independent form. Applicants have elected to amend claims 21 and 24 to be in independent form. Based on the foregoing, the Applicants respectfully submit that independent claims 21 and 24 are patentable and notice to this effect is earnestly solicited. Claims 22-23 and 25-26 respectively depend from one of claims 21 and 24 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, consideration and allowance of claims 22-23 and 25-26 is respectfully requested.

In the Office Action, there is a requirement for the Applicants to provide an Interview Summary for the conference calls on July 1 and 10, 2009, between Examiner Sun and Gregory L. Thorne. An Interview Summary is submitted herewith.

In the Office Action, claims 1-3, 5, 6, 8, 16, 17 and 19 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 5,479,528 to Speeter ("Speeter") in view of U.S. Patent Publication No. 2004/0031180 to Ivanov ("Ivanov") and U.S. Patent No. 7,181,052 to Fujieda ("Fujieda"). Claims 4, 7 and 9 are rejected under 35 U.S.C. §103(a) over Speeter in view of Ivanov and Fujieda and further in view of U.S. Patent No. 6,515,586 to Wymore ("Wymore"). Claims 18 and 20 are rejected under 35 U.S.C. §103(a) over Speeter in view of Ivanov and Fujieda and further in view of German Patent No. DE 3731773 to Koelsch ("Koelsch"). The rejection of claims 1-9 and 16-20 is respectfully traversed. It is respectfully submitted that claims 1-9 and 16-20 are allowable over Speeter in view of Ivanov and Fujieda alone and in view of any combination of Wymore and Koelsch for at least the following reasons.

It is undisputed that Speeter does not show "said characteristic of pressures is a pressure distribution pattern which represents a distribution of pressure per unit area exerted by at least one foot of the person on a surface" as recited in the claims (see, Office Action, page 3). Ivanov and Fujieda are cited as allegedly curing the admitted deficiencies of Speeter, however, it is respectfully submitted that reliance on Ivanov and Fujieda is

misplaced.

Ivanov merely shows a handgrip including a piezoresistive grid to in effect, identify contact areas between a hand and an intersection of grid points on a piezoresistive film (see, Ivanov, FIG. 3 and paragraph [0044]). Ivanov is clear that with the piezoresistive grid, (emphasis added) "various biometric characteristics of the palm can be measured starting with the size of the hand and finishing with the fingerprints." In other words, Ivanov merely measures whether there is contact between the hand and the piezoresistive grid or not. It is respectfully submitted that Ivanov does not produce an image signal representing a distribution of pressure including changes in pressure per unit area within an area that is in contact with the detector.

Fujieda is apparently relied on to show that the pressure distribution pattern is a pressure distribution image pattern, however, it is respectfully submitted that Fujieda like Ivanov merely identifies (emphasis added) "the quantity related with the area of the finger in contact with the detector surface" (see, Fujieda, FIG. 3, abstract and Col. 7, lines 36-44). It is respectfully submitted that Fujieda does not produce a signal representing a distribution of pressure including changes in

pressure per unit area within an area that is in contact with the detector.

It is respectfully submitted that the system of claim 1 is not anticipated or made obvious by the teachings of Speeter in view of Ivanov and Fujieda. For example, Speeter in view of Ivanov and Fujieda does not teach, disclose or suggest, a system that amongst other patentable elements, comprises (illustrative emphasis provided) "means for detecting a pressure distribution pattern which represents a distribution of pressure per unit area exerted by at least one foot of the person on a surface, wherein the means for detecting comprises a means for producing an image signal representing the distribution of pressure including changes in pressure per unit area, wherein the image signal representing the distribution of pressure including the changes in pressure per unit area is only produced for an area where the at least one foot is in contact with the surface, means for storing data for each of a plurality of persons, said data comprising a detected pressure distribution image pattern of the distribution of pressure per unit area and an associated person identification code, and means for comparing a detected pressure distribution image pattern with stored pressure distribution image patterns to find a stored pressure distribution image pattern, if any, that matches the

detected pressure distribution image pattern" as recited in claim 1 and as substantially recited in claim 8.

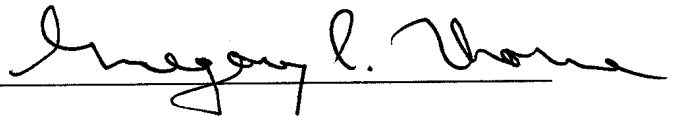
Wymore and Koelsch are introduced for allegedly showing elements of the dependent claims and as such, does nothing to cure the deficiencies in each of Speeter, Ivanov and Fujieda.

Based on the foregoing, the Applicants respectfully submit that independent claims 1 and 8 are patentable over Speeter in view of Ivanov and Fujieda and notice to this effect is earnestly solicited. Claims 2-7, 9 and 16-20 respectively depend from one of claims 1 and 8 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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